CONTRACT #20 RFS # 331.03-077

Department of Education

VENDOR:
Pearson Educational
Measurement

RECEIVED

DEC 0 6 2006

FISCAL REVIEW



STATE OF TENNESSEE DEPARTMENT OF EDUCATION

PHIL BREDESEN GOVERNOR 6th FLOOR, ANDREW JOHNSON TOWER 710 JAMES ROBERTSON PARKWAY NASHVILLE, TN 37243-0375 LANA C. SEIVERS, Ed.D. COMMISSIONER

TO:

Leni Chick, Fiscal Review Committee

FROM:

Lana C. Seivers, Commissioner

DATE:

December 5, 2006

RE:

Request to appear before Fiscal Review Committee regarding Non-Competitive Amendment

a C. Seivers

to contract FA-05-16190-01

Please consider the enclosed information regarding a request for Non-Competitive Amendment to contract FA-05-16190-01 with Pearson Educational Measurement.

The proposed amendment will allow for the following:

- Discontinuation of printing and mailing paper score summary reports to the schools and districts.
- Addition of delivery of a .pdf version of all reports on CD to the schools and districts.
- Addition of a secure, on-line demographic data review system for the districts to review and correct their student's demographic information prior to the submission of the data for the generation of the reports.

The cost for the addition of the two new deliverables is being offset by the deletion of the printed reports and has been included in the original maximum liability of the contract.

Thank you for your consideration.

REQUEST: NON-COMPETITIVE AMENDMENT

APPROVED	,
Commissioner of Finance & Administration	l .
Date:	

		H REQUEST ITEM BELOW MUST BE DETAILED OR ADDRESSED AS RE	QUIRED.							
	EAC	H REQUEST ITEM BELOW MOST BE SETTLED								
1)	RFS#	331.03-077-04								
2)	State Agency Name : Department of Education									
		EXISTING CONTRACT INFORMATON								
3)	3) Service Caption : High School Gateway and End of Course Tests									
4)) Contractor : Pearson Educational Measurement									
5)	Contract #	FA-05-16190-01								
6)	Contract Start Date :		August 11, 2004							
7)	Current Contract End	September 30, 2009								
8)	<u>Current</u> Total Maximu	\$19,044,404.47								
<u> </u>		PROPOSED AMENDMENT INFORMATON								
9)	Proposed Amendmer	2								
10	Proposed Amendmer (attached explanation r	nt Effective Date : required if date is < 60 days after F&A receipt)	January 5, 2007							
11) <u>Proposed</u> Contract E	nd Date IF <u>all</u> Options to Extend the Contract are Exercised :	September 30, 2009							
12) <u>Proposed</u> Total Maxii	mum Cost IF <u>all</u> Options to Extend the Contract are Exercised :	\$19,044,404.47							
13) Approval Criteria : (select one)	use of Non-Competitive Negotiation is in the best interes	t of the state							
i		only one uniquely qualified service provider able to prov	ide the service							
	•	oposed Amendment Effects & Any Additional Service :								
to	verify student demograp	de programming for and delivery of online reports as well as a secure hic data. With the ability to provide online reports, the State is able t discontinuation of printed reports will allow the provision of the addition ntract. A summary of the proposed amendment changes follows:								
1.	– Discontinue printing a	nd shipment of reports to school districts – Reduce Maximum Liabilit	y - \$256,604.62							

2. – Add delivery of .pdf report files to systems on CD – Increase Maximum Liability - \$124,981.23
3. – Addition of Online Demographic Verification portal – Increase Maximum Liability - \$131,623.39
15) Explanation of Need for the Proposed Amendment :
This contract is the result of an RFP, the scope of services was written based upon services available under the contract at the time of the RFP's release. This amendment will allow the Department to take advantage of advances in technology that were not available when the RFP was written. This amendment will provide the following:
1. Online Demographic Verification system: - net cost \$131,623.39 - With the No Child Left Behind Act (NCLB), school and system accountability for the proper assessment of students increased exponentially. The addition of this feature will allow for local education agencies and districts to review, modify, and verify all student demographic information (e.g. gender, ethnicity, special education status), and other information before reports are created and sent to the systems. This feature will assist the State in insuring that the data provided to United States Department of Education (USDOE) is accurate. This verification system will be hosted on the Contractor's website and will be a secure site which will require login and password to view the demographic data.
2. Reporting Requirements to be provided to the districts and local education agencies via .pdf file on cd —net costs \$124,981.23 - Providing all reports via PDF file on CDs eliminates the hundreds of boxes of paper reports that are printed and shipped three times per year to schools and systems across the state. The availability of the reports on CD will allow schools and systems to quickly and easily retrieve the reports for review and inclusion in reports to the State, such as their school improvement plans. In addition, CDs are easier to archive and protect from destruction.
16) Name & Address of Contractor's Current Principal Owner(s) : (not required if proposed contractor is a state education institution)
Pearson Educational Measurement 2510 Dodge Street, Iowa City, IA 52245
17) Documentation of Office for Information Resources Endorsement : (required only if the subject service involves information technology)
select one: Documentation Not Applicable to this Request Documentation Attached to this Request
18) Documentation of Department of Personnel Endorsement : (required only if the subject service involves training for state employees)
select one: Documentation Not Applicable to this Request Documentation Attached to this Request
19) Documentation of State Architect Endorsement : (required only if the subject service involves construction or real property related services)
select one: Documentation Not Applicable to this Request Documentation Attached to this Request
20) Description of Procuring Agency Efforts to Identify Reasonable, Competitive, Procurement Alternatives :
The Department negotiated with the vendor to provide the new online services in exchange for the charge associated with the discontinued printed reports. The Department did not price these items outside the current contract.
21) Justification for the Proposed Non-Competitive Amendment :
Advances in technology provide for constant improvements in data generation, review, and reporting. USDOE is able to compare the data submitted by the State regarding student demographics and enrollment against the data submitted regarding assessment. It is imperative that these two data sets match. Providing systems with a way to review, modify and verify the student demographic information that is being reported on assessments will aid in this endeavor. Much of the student demographic information reported on the assessment is coded by the students, leaving a very large gap for error.
Likewise, providing schools and systems with the ability to receive their reports electronically is both environmentally efficient and also provides them with better access to the reports. Local Education Agencies and Districts use the information provided in the printed reports for their School Improvement plans, Southern Association of Schools and Colleges (SACS) evaluations, student placement, teacher work load and other reporting purposes. Making the reports available electronically allows them easier access to the specific information they need in a more time efficient manner.

REQUESTING AGENCY HEAD SIGNATURE & DATE: (must be signed & dated by the <u>ACTUAL</u> procuring agency head as detailed on the Signature Certification on file with OCR— signature by an authorized signatory will be accepted only in documented exigent circumstances)											
(Sapa C. Seivers)	12/5/04										

Agency Head Signature

Date

		NTR	ACT	M M A R Y S H E E T 8-8-05							
RFS#						Contract #					
331.03-077-05						FA-05-16190-02					
State Agend	су					State Agency Division					
Departmer	nt of Educ	ation				Assessmer					
Contractor	Name					Contractor ID	# (FE	N or SSN)			
		FIONAL MEA RSON, INC.	SUREME	NT, A BUSINES	S	☐ C- or ⊠] V-	V41085052	7-21		
Service Des	scription										
Student As	ssessmen	t ·							.		
Contra	ct Begin	Date	Co	ntract End Date)	SUBRECIPIE	NT or	VENDOR?		CFDA#	
Aug	ust 11, 20	04	Sep	otember 30, 200	9	Ve	endor			See Supplement Form	
Mark, if Sta	tement is	TRUE									
		STARS as		F						in Accounts as required	
Allotment		Cost C		Object Co	de	Fund	Func	ling Grant C VAR	oae	Funding Subgrant Code VAR	
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		\$0.00		\$1,464,192.77		\$0.00		 	0.00	\$1,464,192.77	
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2007		\$0.00		\$3,672,773.67	 				0.00		
2009		\$0.00		\$3,883,323.69		\$0.00			\$0.00 \$3,88		
2010		\$0.00		\$2,196,989.07	\$0.00			\$	0.00	\$2,196,989.07	
TOTAL:		\$0.00		19,044,404.47		\$0.00	\$19,044,404.47				
<u> </u>	MDI ETE	FOR AMEN	DMENTS	ONLY —	State	e Agency Fiscal Contact & Telephone #					
FY	Base	Contract &	THIS	Amendment ONLY		hn Sharp - 615-532-1658					
2005	+	3,545,007.6		\$0.00	State	Agency Budge	t Offic	er Approval			
2006	\$	51,464,192.7	7	\$0.00		· · · · · · · · · · · · · · · · · · ·					
2007	9	64,282,117.6	1	\$0.00							
2008	9	3,672,773.6	7	\$0.00	Fund	ing Certification	n (certi	fication, require	ed by T	C.A., § 9-4-5113, that there is ed expenditure is required to be	
2009	9	3,883,323.6	9	\$0.00	a bala paid th	nce in the appropriation is not otherwise	encun	nbered to pay	obligat	ions previously incurred)	
2010	9	\$2,196,989.0	7	\$0.00							
TOTAL:	\$1	19,044,404.4	7	\$0.00		•					
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CONTRACT SUMMARY SHEET SUPPLEMENTAL SCHEDULE

Contract Number FA-05-16190-00

Fiscal Year

2005

Allotment Code	Cost Center	Object Code	Fund	Grant Code	Subgrant Code	CFDA #	Amount
331.03	475	083	25	CN5	AAX	84.369	\$3,545,007.66
Fiscal Year	2006						<u> </u>
331.03	475	083	25	CN6	AAX	84.369	\$1,464,192.77
		·					
Fiscal Year	2007						
331.03	475	083	25	CN7	AAX	84.369	\$4,282,117.6
Fiscal Year	2008						
331.03	475	083	25	CN8	AAX	84.369	\$3,672,773.6
·							
Fiscal Year	2009						
331.03	475	083	25	CN9	AAX	84.369	\$3,883,323.6
Fiscal Year	2010						
331.03	475	083	25	CN0	AAX	84.369	\$2,196,989.0
		•					
							FOTAL \$19,044,404.47

AMENDMENT # 02 TO CONTRACT FA-05-16190-00

This Contract, by and between the State of Tennessee, DEPARTMENT OF EDUCATION, hereinafter referred to as the State, and PEARSON EDUCATIONAL MEASUREMENT, A BUSINESS UNIT OF NCS PEARSON, INC., hereinafter referred to as the Contractor, is hereby amended as follows:

1. Add the following to Section C.3 Payment Methodology

Online Demographic Verification Setup	Per year
7/1/06-6/30/07	\$80,008.86
Online Demographic Verification support and maintenance	Per test administration
7/1/06-6/30/07	\$4,692.23
7/1/07-6/30/08	\$4,692.23
7/1/08-6/30/09	\$4,692.23
7/1/09-9/30/09	\$4,692.23
Reporting PDF on CD, setup	Рег уеат
7/1/06-6/30/07	\$33,304.19
Reporting PDF on CD, maintenance	Per test administration
7/1/06-6/30/07	\$6,248.38
7/1/07-6/30/08	\$6,248.38
7/1/08-6/30/09	\$6,248.38
7/1/09-9/30/09	\$6,248.38
Report PDFs on CD	Per school/system
7/1/06-6/30/07	\$7.58
7/1/07-6/30/08	\$7.58
7/1/08-6/30/09	\$7.58
7/1/09-9/30/09	\$7.58

- 2. Add the following to Attachment A Scope of Services, Section V. Scoring Activities:
 - E. The Contractor shall provide technical training, support, required programming and software, including installation and upgrading of proprietary software and programming, to the State necessary to provide online student demographic verification services to schools/systems and the State via secure website. All software, including proprietary software, shall be available for State use for the duration of this contract. The Contractor will work with the State and other state vendors to facilitate required services. See Attachment A.13 for the work statement for the online student demographic verification program.
- 3. Add the following to Attachment A Scope of Services, Section VI. Reporting Activities, E.:
 - 6. The Contractor shall provide all school, system, and state level reports in PDF files on CDs. The CD's shall be shipped to the system central office. See Attachment A.14 for the work statement for the PDF files.
- 4. Add the following to Attachment A.5 Sections II. Production Materials:

- M. Online Student Demographic Verification

 The Contractor shall provide for a secure website with software programming and training for online verification of student demographic information. See Attachment A.13.
- 5. Delete Attachment A.5, Section IV. Reports of Results , Introduction Gateway and End-of-Course Test Reports in its entirety and replace with the following:

Gateway and End-of-Course Test Reports
The Contractor will provide reports for State, System, School, Teacher, and Student. Each
Summary report should be duplicated and packaged for distribution according to the reporting
matrix in Attachment A.6. For the report of system and school scores, report forms should give
administrators graphical information to evaluate the overall effectiveness of the educational
program which includes comparison within the local program. Report forms should compare
the percent of students with the curriculum standards in each of the three performance levels
so that instructional priorities can be established using this information along with other
sources. School, System and State level summary reports shall be provided in PDF format on
CD as described in Attachment A.14.

- Add Attachment A.13 Student Online Demographic Verfication Work Statement
- 7. Add Attachment A.14 School and System Reports in PDF Format Delivered on CD Roms Work Statement .

The other terms and conditions of this CONTRACT not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF:		•
PEARSON EDUCATIONAL MEASUREMENT, A BUSINE	ss unit of NCS Pearson, in	C.:
	Date	
Steve Literati, Chief Financial Officer	Date	
DEPARTMENT OF EDUCATION:	•	
•	,	
Gindonos	Date	
Lana C. Seivers, Commissioner		
	•	
APPROVED:		
DEPARTMENT OF FINANCE AND ADMINISTRATION:		
	Date	<u> </u>
M. D. Goetz, Jr., Commissioner	Date	
THE TAX STORES ASSESSED ASSESS		
COMPTROLLER OF THE TREASURY:		
John G. Morgan, Comptroller of the Treasury	Date	

Attachment A.13

ONLINE DEMOGRAPHIC VERIFICATION WORK STATEMENT

Date:

October 30, 2006

Customer:

Tennessee Department of Education ("TDOE")

Description:

New Functionality for Record Changes and Report Distribution

Pearson Educational Measurement, a business of NCS Pearson, Inc. ("PEM"), will provide TDOE with the PEMSolutions Assessment Network (also known as "SchoolHouse") web-based system beginning with the spring 2007 administration.

We will provide three functions:

- (1) Profile
- (2) Reporting
- (3) Record Changes
- (1) The Profile function will allow school system personnel to correct contact information such as mailing address and contact name. PEM will use the address information for shipping reports during each administration.
- (2) The Reporting function will allow PEM to post school and system level reports via online PDF format at the end of each administration. PEM will continue to produce and ship reports in paper and CD ROM format. The PDF reports on SchoolHouse will serve as a supplement to the paper and CD ROM reports. PEM will work with TDOE to establish the length of time the reports will remain online.
- (3) Record changes will allow the systems to change demographic information at the student level before final scoring and reporting. The purpose will be to improve reporting of annual yearly progress data such as student ethnicity and special education status. Schools and systems will not be able to move a student from one teacher, school, or system to another. The record changes functionality will be available to the systems for a short period of time (the "window") after TDOE completes the editing process. This window will be approximately two (2) to five (5) days long dependent upon TDOE's deadline for final data and reports. PEM will work with TDOE to establish the record changes window.

For the spring administration, PEM will have two periods of time for record changes, one (1) following Gateway editing and one (1) following end of course (including private schools) editing. Please note that the "per administration" cost* assumes four administrations per year, with spring consisting of two administration windows.

PEM will provide assistance to the school and system users in the following ways: on-line help, generic web site instructions, toll free telephone support, and a customized user guide specific to Tennessee.

This is additional work scope not addressed in the Scope of Services section of the Tennessee High School Gateway Prime Contract (the "Contract"), #FA-05-16190-00, currently in effect between TDOE and NCS Pearson, Inc. These changes shall be available for the Spring 2007 test administration and each administration thereafter for the duration of the contract.

Attachment A.14

REPORTING PDF'S ON CD ROM'S WORK STATEMENT

Date:

October 30, 2006

Customer:

Tennessee Department of Education ("TDOE")

Description:

School and System Reports in PDF Format Delivered on CD ROMs

Pearson Educational Measurement, a business of NCS Pearson ("PEM"), Inc. is pleased to provide this work statement is in response to TDOE's request regarding feasibility for the provision of Gateway and End-of-Course ("EOC") school and system reports in PDF format on CD ROMs after each test administration. Currently these reports are provided to TDOE in paper format only. The PDF reports shall be delivered according to the same schedule as established for the paper reports in the annual workplan.

A description of the reports to be provided is as follows:

- 1. Printed (paper) copies, packed by schools and shipped to the systems, to include:
 - o 1 Individual Profile Report ("IPR") per student (Gateway and EOC)
 - o 1 Label per student (Gateway only)
 - o 1 Parent Brochure per student (Gateway and EOC)
- 2. School CD ROM, packed and shipped with the school's paper reports, to include:
 - o 1 PDF of the IPR for each student, all content areas
 - o 1 PDF of the Class Report for each teacher, all content areas
 - o 1 PDF of the school level Performance Level Summary Report for each content area
 - o 1 PDF of the school level Performance Summary by School/Teacher for each content area
 - o 1 PDF of the school level Demographic Summary for each content area
- 3. System CD ROM packed and shipped with the system's paper reports, to include:
 - o 1 PDF of the system level Performance Level Summary Report for each content area
 - o 1 PDF of the system level Performance Summary by System/School for each content area
 - o 1 PDF of the system level Demographic Summary for each content area
- 4. State CD (no changes), shipped to the state office, to include:
 - 1 PDF of the *Performance Level Summary Report*, summary page 1 system level (system and school graphs)
 - 1 PDF of the Performance Level Summary Report, summary page 1 state level (system graphs)
 - 1 PDF of the state level Demographic Summary for each content area

All schools and systems will receive the CD ROMs as described here. We will continue to provide system level data files on CD ROMs based on orders received in the enrollment file.

The Home School system will be treated like other systems. The Home School system CD ROM will be sent to the TDOE, along with the paper IPRs and labels.

We assume there are three administrations per contract year. This work will begin with the spring 2007 administration. Therefore, in contract year 2006-2007, PEM will charge TDOE the "per administration" charge for one (1) administration (Spring).

This is additional work scope not addressed in the Scope of Services section of the Tennessee High School Gateway Prime Contract (the "Contract"), #FA-05-16190-00, currently in effect between TDOE and PEM.

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2006	\$0.00	\$4,282,117.61				\$0.00	\$4,282,117.61		
2007	\$0.00	\$3,672,773.67		\$0.00 \$0.00	N 3 0 /UUb —	\$0.00	\$3,672,773.67		
2008	\$0.00				CCOUNTS		\$3,883,323.69		
2009	\$0.00	\$3,883,323.69 \$2,196,989.07		\$0.00		\$0.00	\$2,196,989.07		
2010	\$0.00 \$0.00	\$19,044,404.47		\$0.00		\$0.00	\$19,044,404.47		
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FY	Base Contract & Prior Amendments		John Sharp - 615-532-1658						
2005	\$3,545,007.66	\$0.00	State Agency Budget Officer Approval						
2006	\$5,327,792.46	(\$3,863,599.69)	John Sharp June 23, 2006						
2007	\$5,307,818.27	(\$1,025,700.66)							
2008	\$4,974,336.23	(\$1,301,562.56)	Funding Certification (certification, required by T.C.A., § 9.4-5113, that there is						
2009	\$5,310,274,80	(\$1,426,951.11)	a balance in the appropriation from which the obligated expanditure is required to paid that is not otherwise encumbered to pay obligations previously incurred)						
2010		\$2,196,989.07				.=			
TOTAL.	\$24,465,229.42	(\$5,420,824.95)		- '6 A 5-	A Section of the sect	1	聖記 28 06		
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Procureme	nt Process Summary	學論語 門 高度觀測	Marin Harris				2019年8月1日 - 1011日 - 1		

CONTRACT SUMMARY SHEET. SUPPLEMENTAL SCHEDULE

Contract Number

FA-05-16190-00

Fiscal Year 2005

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Fiscal Year	2006						
331.03	475	083	25	CN6	AAX	84.369	\$1,464,192 77
Fiscal Year	2007	,					
331.03	475	083	25	CN7	AAX	84.369	\$4,282,117 61
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Fiscal Year	2008						
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